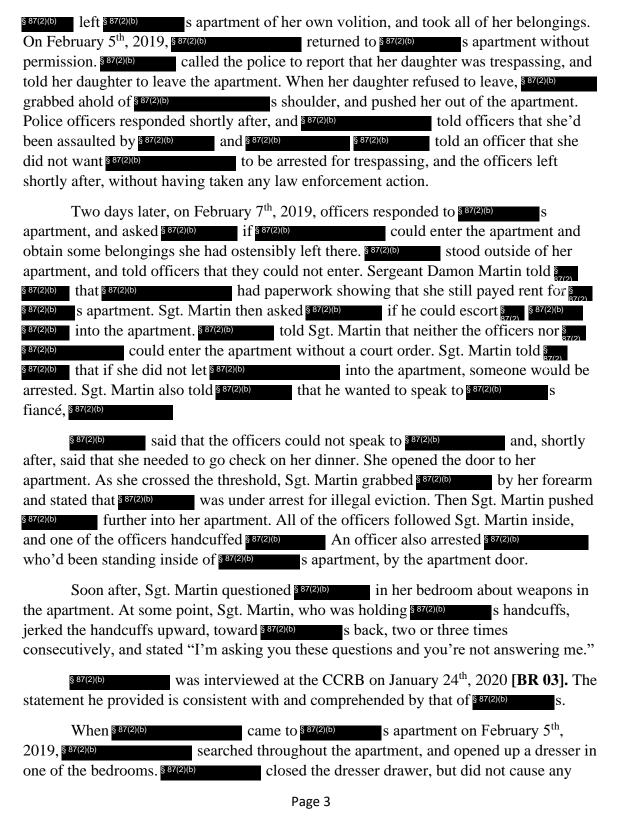
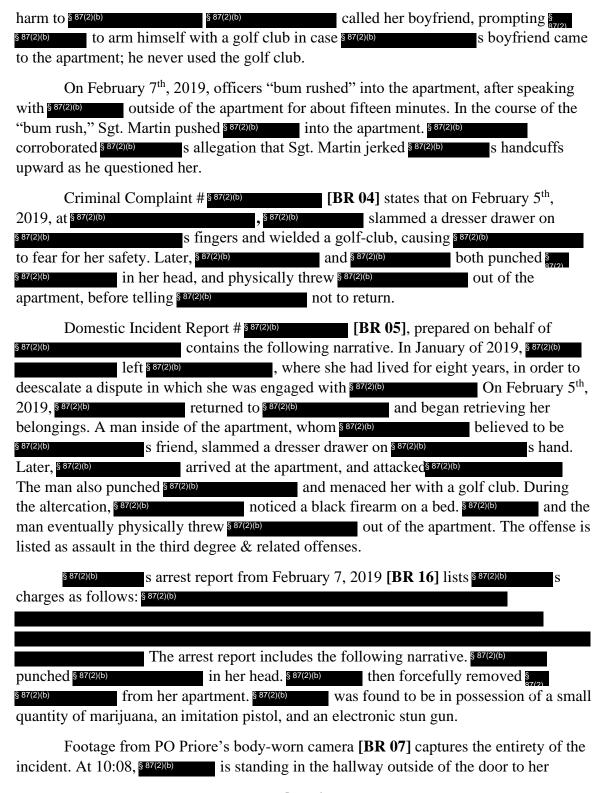
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:		Force	☐ Discourt.	U.S.
William Rasenberger		Squad #7	201901320	\square	Abuse	O.L.	✓ Injury
Incident Date(s)		Location of Incident:		P	recinct:	18 Mo. SOL	EO SOL
Thursday, 02/07/2019 7:22 PM 02/08/2019	, Friday,	inside of § 87(2)(b)			75	8/7/2020	3/24/2021
Date/Time CV Reported		CV Reported At:	How CV Reported	d:	Date/Time	Received at CCI	RB
Tue, 02/12/2019 3:48 PM		CCRB	Phone		Tue, 02/12	2/2019 3:48 PM	
Complainant/Victim	Type	Home Add	ress				
Witness(es)		Home Add	Pocc				
Witness(es)		Home Add	ress				
Subject Officer(s)	Shield	TaxID	Command				
1. An officer			075 PCT				
2. SDS Damon Martin	04173	920558	INT CIS				
Witness Officer(s)	Shield N	o Tax No	Cmd Name				
1. POM Manny Sharma	31876	955473	075 PCT				
2. POF Mary Mapelli	05599	956878	SVD Z3				
3. POM Nazir Abdul	25172	941303	075 PCT				
4. SGT James Priore	04761	955346	079 PCT				
Officer(s)	Allegatio	on			Inve	estigator Recon	nmendation
A.SDS Damon Martin	Abuse: C	On February 7th, 2019, ed to arrest in Brooklyn.	, Sgt. Damon Martin inside of §	7			
B.SDS Damon Martin	Abuse: C § 87(2)(b)	On February 7th, 2019, i	, Sgt. Damon Martin n Brooklyn.	entere	ed		
C.SDS Damon Martin	Force: O physical	n February 7th, 2019, force against § 87(2)(b) in Brooklyn.	Sgt. Damon Martin uninside of				
D.SDS Damon Martin		n February 7th, 2019, force against \$\frac{87(2)(b)}{2}\$ in Brooklyn.	Sgt. Damon Martin uninside of				
E. An officer	informat	On February 8th, 2019, ion regarding ^{887(2)(b)} Precinct Stationhouse.	s medical		is at		

Case Summary

On February 12 th , 2019, \$87(2)(b) filed the following complaint via the CCRB intake line [BR 01].
On February 7 th , 2019, Police Officer James Priore, Police Officer Manny Sharma, Police Officer Nazir Abdul, and Sergeant Damon Martin, all of the 75 th Precinct, responded to sapartment, at a partment, at say (2)(b) in Brooklyn. The officers attempted to gain entry into sapartment on behalf of say (2)(b) is a partment on behalf of say (2)(b) in sapartment. Say (2)(b) is a partment.
apartment without a court order. Sgt. Martin told \$87(2)(b) that if she did not allow her daughter inside of the apartment, someone might get arrested for unlawful eviction (Allegation
A: Threat of Arrest, \$87(2)(9) Roughly fourteen minutes into the interaction between \$87(2)(9) and the officers, \$87(2)(9) entered her apartment, and told the officers that she would be inside for "a minute." Sgt. Martin followed \$87(2)(9) and allegedly pushed \$87(2)(9) further into her apartment (Allegation C: Physical Force, \$87(2)(9) \$87(2)(
were both arrested inside of \$87(2)(b) s apartment. At some point after Martin was handcuffed, Sgt. Martin allegedly yanked \$87(2)(b) handcuffs upward, toward her back, three consecutive times (Allegation D: Physical Force, \$87(2)(c) Nine body-worn camera (BWC) videos that recorded this incident were provided to the
CCRB by the NYPD Legal Department. On February 8 th , 2019, while still in NYPD custody, \$87(2)(b) was transported from the 75 th Precinct stationhouse to the \$87(2)(b) returned from the hospital to the 75 th Precinct stationhouse, an officer allegedly viewed \$87(2)(b) s medical records, and, in the presence of other officers, remarked upon the treatment that \$87(2)(b) received at \$87(2)(b)
Allegation A – Abuse of Authority: On February 7 th , 2019, Sergeant Damon Martin threatened to arrest 587(2)(b) inside of 587(2)(b) in Brooklyn
Allegation B- Abuse of Authority: On February 7 th , 2019, Sergeant Damon Martin entered ni Brooklyn.
Allegation C – Force: On February 7 th , 2019, Sergeant Damon Martin used physical force against ser(2)(b) inside of ser(2)(b) in Brooklyn.
Allegation D – Force: On February 7 th , 2019, Sergeant Damon Martin used physical force against statement inside of statement in Brooklyn.
On January 24 th , 2020, \$87(2)(b) provided the following statement at the CCRB [BR 02]. In October of 2018, \$87(2)(b) statement at Page 2

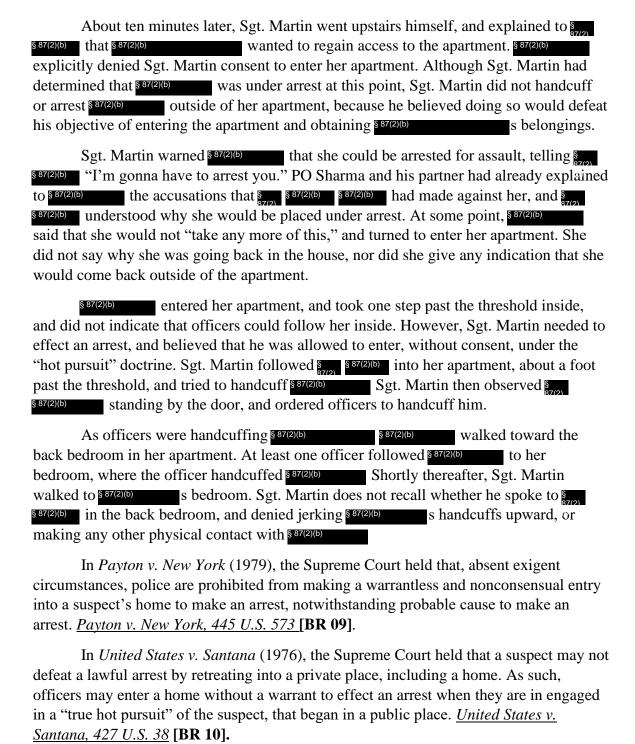




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apartment; the door is closed. Sgt. Martin states "depending on what happens right now, there might be an arrest made; we're going to be talking about an unlawful eviction." At 14:06, when § 87(2)(b) is out of earshot, Sgt. Martin asks another officer about the charges listed on the UF-61, and then states "we might have to do an arrest on her." At starts walking toward her apartment door and states "I'm going back in the house for a minute." She opens the door to her apartment, and crosses the threshold. Sgt. Martin is heard stating "Sandy, Sandy, wait." § 87(2)(b) minute. I got my food cooking." Sgt. Martin approaches the doorway to §87(2)(6) apartment. PO Sharma's body-worn camera [BR 08] shows that at 14:45 minutes, Sgt. Martin is standing in the open doorway to §87(2)(b) s apartment. § 87(2)(b) fully inside of her apartment, states "I did not say you could come in." Sgt. Martin states "I'm going to arrest you." At 14:56 minutes, Sgt. Martin fully enters § 87(2)(b) apartment -- without using any physical force against \$87(2)(b) -- wherein he handcuffs § 87(2)(b) PO Sharma and PO Priore follow Sgt. Martin into the apartment. No body-worn camera footage received for this case shows Sgt. Martin yanking s handcuffs at any point. Sergeant Damon Martin provided the following statement at the CCRB on February 21st, 2020 [BR 06]. On February 7th, 2019, Sgt. Martin interviewed 887(2)(b) ■ who had walked in to the 75th Precinct stationhouse to file a complaint. explained that she'd temporarily left her apartment at §87(2)(b) § 87(2)(b) , where she'd lived for eight years, following a dispute with her mother. § 87(2)(b) claimed that she still lived at the apartment. Sgt. Martin credited s account, as she was able to describe the layout of the apartment. § 87(2)(b) on February 5th, 2019, and stated that she returned to §87(2)(b) that § 87(2)(b) assaulted her. Further, § 87(2)(b) and § 87(2)(b) alleged that § 87(2)(b) possessed a firearm and a taser inside of the apartment, and that § 87(2)(b) sold marijuana inside of the apartment. Sgt. Martin requested that a UF-61 be created for [8 87(2)(b)] . Sgt. Martin then responded to §87(2)(b) with § 87(2)(b) as well as with PO Sharma and his partner. Sgt. Martin intended to arrest § 87(2)(b) and § for § 87(2)(b) investigate the firearm allegedly in § 87(2)(b) s possession, and help obtain food and clothes for §87(2)(b) s daughter. Sgt. Martin sent PO Sharma and his partner upstairs, to speak with §87(2)(b) As far as Sgt. Martin was concerned, § 87(2)(b) was under arrest or "good to be arrested" as soon as PO Sharma and his partner made contact with her.

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§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
On February 8, 2019 an unidentified officer improperly disseminated information
regarding \$ 87(2)(b) s medical status.
stated that on stated that on while still in police custody, she
went to \$87(2)(b) to obtain treatment for wrist pain and high blood pressure. When \$87(2)(b) returned to the 75 th Precinct stationhouse, an officer
whose name tag read "Stephenson" allegedly viewed medical records resulting from
s 87(2)(6) s hospital visit, and stated "your blood pressure must have not been up; they
didn't give you any blood pressure medication." In a telephone statement on February

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13th, 2019, ser(2)(b) clarified that PO Stephenson was one of the officers that escorted her to the hospital on [BR 11]					
described PO Stephenson as a bald and overweight black male, in his mid-to-late thirties, standing at around 5'8".					
The Medical Treatment of Prisoner (MTPR) form associated with sarcest [BR 12] indicates that sarcest [BR 12] indicates that sarcest [BR 12] complained of high blood pressure, and was transported to sarcest [BR 12] (date not provided), where she was prescribed an unspecified medication. The MTPR lists PO Manny Sharma as the escorting officer.					
Police Officer Louis Stephenson of the 75 th Precinct was interviewed at the CCRB on March 5 th , 2020 [BR 13].					
Police Officer Stephenson is a white Hispanic male, hirsute with black/gray hair, standing 5'11" and weighing 225 pounds.					
Police Officer Stephenson stated that on February 8 th , 2019, he was the assistant desk officer at the 75 th Precinct, in which capacity he was responsible for operating the telephone and ensuring the quality of paperwork. He suffered an injury in the line of duty on since which date PO Stephenson has not escorted any prisoners to the hospital. PO Stephenson stated that he does not, under any circumstances, review paperwork resulting from prisoners' hospital visits. PO Stephenson denied viewing or discussing medical records resulting from size (2006) s visit to size (2006), and had no recollection of the incident.					
§ 87(2)(g)					
Civilian and Officer CCRB Histories					
• has been a party to two prior CCRB complaints and has been named as the victim in three allegations [BR 14].					
○ §87(2)(b)					
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- Sgt. Damon Martin has been a member of service for 22 years and has been named as a subject in 25 complaints and 63 allegations, 8 of which have been substantiated.
 - Case # 200613930 involved allegations of search of home and search of person, both of which were substantiated; Sgt. Martin was found not guilty at trial.
 - Case # 200616696 involved an allegation of question/stop, which was substantiated; no penalty was imposed.
 - Case # 200814508 involved allegations of a stop, strip-search, retaliatory arrest, and threat of force, all of which were substantiated; the NYPD imposed a penalty of 15 lost vacation days.
 - Case # 201804938 was substantiated; no record of disciplinary action is available.

Mediation, Civil and Criminal Histories

• This complaint was not suitable for mediation

[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

HIPPA	damaged property, los violation, false arrest,	tice of Claim with the City of New Y st work hours, invasion of privacy, m and abuse of power and seeking 201, ing was held on [B]	ental anguish, 053,707
Squad No.: _	7		
Investigator:		Inv William Rasenberger	
	Signature	Print Title & Name	Date
Squad Leader:		Manger Vanessa Rosen	
	Signature	Print Title & Name	Date
Reviewer:			
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Signature

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